## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:20-cv-00360-MR

RODNEY E. JONES,	
Plaintiff,	
vs.	ORDER
NCDAC OFFICIALS, et al.,	
Defendants.	

**THIS MATTER** is before the Court on Plaintiff's various motions requesting enforcement of the Court's Order requiring reimbursement of Plaintiff's filing fee. [Docs. 19, 20, 21].

Pro se Plaintiff Rodney E. Jones ("Plaintiff") is an inmate of the State of North Carolina currently incarcerated at Alexander Correctional Institution ("Alexander") in Taylorsville, North Carolina. Plaintiff filed two separate documents with the Court, which together evinced Plaintiff's intention to assert a claim or claims under 42 U.S.C. § 1983, as well as to seek habeas relief. On Plaintiff's failure to pay the filing fee or file a motion to proceed in forma pauperis, the Clerk sent Plaintiff a Notice of Deficiency and entered an Order for Prisoner Trust Account Statement in which Plaintiff's correctional facility was ordered to provide a certified copy of Plaintiff's trust account

statement to assess Plaintiff' ability to pay the entire filing fee in one payment. [Doc. 4]. On December 22, 2020, the Clerk entered an Order waiving the initial partial filing fee and directing the Plaintiff's correctional facility to transmit monthly partial payments in the amount of 20% of Plaintiff's preceding month's income credited to Plaintiff's trust account. [Doc. 8 at 1].

After that Order, Plaintiff filed various motions seeking dismissal of his case and reimbursement of any filing fees that had been paid. [See Docs. 9-13]. The Court granted Plaintiff's motion for a voluntary dismissal, vacated the Clerk's Order directing payment of the filing fee, and ordered reimbursement of any filing fee that had been paid. [Doc. 15]. Plaintiff has since filed several motions and other documents seeking enforcement of that Order, claiming that the North Carolina Department of Public Safety (NCDPS) had not reimbursed him and continued to take money from his prison trust account. [See Docs. 18-21].

The Court has been advised by the Clerk and takes judicial notice that, as of March 4, 2021, any money Plaintiff has paid toward his filing fee in this matter has been returned to Plaintiff through his prison trust account. Plaintiff's motions [Docs. 19, 20, 21] will, therefore, be denied as moot.

## **ORDER**

IT IS THEREFORE ORDERED that Plaintiff's motions [Docs. 19, 20, 21] are **DENIED** as moot.

IT IS SO ORDERED.

Signed: March 25, 2021

Martin Reidinger

Chief United States District Judge